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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,922	11/13/2003	Charles Samuel Hurmiz	0656.0650000	7303
26111	7590	07/11/2006	EXAMINER	
STERNE, KESSLER, GOLDSTEIN & FOX PLLC 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			VEILLARD, JACQUES	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/705,922

Applicant(s)

HURMIZ ET AL.

Examiner

Jacques Veillard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/10/05, 5/18/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the applicant's communication filed 11/13/2003.
2. Claims 1-26 are pending and presented for examination.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on May 10, 2005 and May 18, 2005 was filed after the mailing date of the application on November 13, 2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, it has been placed in the application file. The information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 3-7, 10, 11, and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3-5, 7 and 10 recite the limitation "said database" in line 3. There is insufficient antecedent basis for this limitation in the claim. To be consistent with the previous claims such as claims 1 and 2, applicant is advised to change "said database" from claims 3-5, 7 and 10 to -- said share database--.

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There is insufficient antecedent basis for the limitation “the physical structure” recited in claim 3 line 3; in claim 11 line 7; in claim 13 line 4.

As per claims 4-6, they are at least rejected for their dependencies, directly or indirectly, on the rejected claim 3 above.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-20, 23-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Regnier et al. (U. S. Pat. No. 6,134,549).

As per claim 1, Regnier et al. disclose a client/server computer system having personalizable views of database data wherein the term database will also be used to denote any collecting data in an information management system (See Regnier et al. Title, the Abstract and col.2, lines 33-35). In particular, Regnier et al. disclose the claimed limitations of: creating an information collection structure to produce a representation of a shared database by providing a client/server computer system capable of producing a customized views of information stored in a common database (See Regnier et al. col.2, lines 22-30, and lines 48-57); receiving a read request or a write request from a user interface by providing a client/server containing a translator feature for converting client application database input and output requests into databases

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commands (See Regnier et al. Abstract lines 5-10; col.4, lines 22-25); and accessing said representation to execute said read request or said write request without having to access said shared database (See Regnier et al. Abstract, lines 13-16).

As per claim 2, most the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Regnier et al. disclose the claimed limitations, further comprising: creating a plurality of representations of said shared database from said information collection structure by producing a customized views of information which stored in common (shared) database (See Regnier et al. col.2, lines 22-30).

As per claim 3, Regnier et al. disclose the claimed limitations, further comprising: customizing each of said plurality of representations to a specific user group without altering the physical structure of said database by providing a security function mechanism for database data without modifying the client application on the database (See Regnier et al. Abstract, lines 13-16, and col.3, lines 13-17).

As per claims 4 and 5, Regnier et al. disclose the claimed limitations, wherein said customizing step comprises: collecting a new type of data currently defined within said database by providing a database system which used to denote any collection of data (See Regnier et al. col.2, lines 33-38).

As per claim 6, Regnier et al. disclose the claimed limitations, wherein said

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customizing step comprises: providing metadata from said information collection structure to customize a view of said database by providing a client/server computer system where the data stored in the client profile is referred to as metadata (See Regnier et al. col.2, lines 27-30; col.7, line 50 through col.8, line 13).

As per claim 7, Regnier et al. disclose the claimed limitations, wherein said creating step comprises: providing metadata to transpose said representation to said database and said user interface (See Regnier et al. col.9, line 14 through col.10, line 65).

As per claim 8, Regnier et al. disclose the claimed limitations, wherein said creating step comprises: providing metadata to manage general entities (See Regnier et al. col. 9, line 14 through col.10, line 65).

As per claims 9 and 10, Regnier et al. disclose the claimed limitations, wherein said creating step providing a plurality of generic objects for said information collection structure, wherein each of said generic objects includes one or more presentation objects, and defining a unique object name space for each of said generic objects, said unique object name space having a unique name for a unique combination of a presentation object with a data source from said database (See Regnier et al. col.2, lines 36-59, Fig.3 and col.6, line 56 through col.7, line 17).

As per claim 11, Regnier et al. disclose a client/server computer system permitting of defining and collecting data in an information management system (See

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Regnier et al. Fig. 3; col.6, lines 39-53). In particular, Regnier et al. disclose the claimed limitations of, creating an information collection structure to manage a database at a logical level (See Regnier et al. col.9, lines 14-35; col.13, lines 26-28, and col.14, lines 15-17); receiving a request from a user interface for a customized view of said database (See Regnier et al. Fig.5, col.13, lines 35-38); and producing said customized view without altering the physical structure of said database (See Regnier et al. Abstract and col.2, lines 22-30).

As per claim 12, Regnier et al. disclose a client/server computer system for managing information (See Regnier Title and the Abstract). The system taught by Regnier et al. comprising: a database (See Regnier et al. Fig.3 element 300) comprising a plurality of integrated records (See Regnier et al. col.6, lines 39-53); an information collection structure for producing a representation of said database (See Regnier et al. col.6, line 56 through col.7, line 17); and a user-interface for enabling submission of a read request or a write request to said representation (See Regnier et al. Abstract lines 5-10; col.4, lines 22-25 ; Fig.4, and col.6, lines 25-38); wherein said information collection structure executes said read request or said write request without having to access said integrated records (See Regnier et al. Abstract, lines 13-16).

As per claim 13, Regnier et al. disclose the claimed limitations, wherein said information collection structure produces a plurality of representations of said database by providing a client/server computer system having a personalizable views of a database data (See Regnier et al. Abstract lines 1-4), wherein each of said plurality of

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representations is customized for a specific user group without altering the physical structure of said database (See Regnier et al. col.(Regnier et al. Abstract lines 12-15, and col.2, lines 60-65).

As per claims 14, 15, 16, and 17, Regnier et al. disclose the claimed limitations, wherein said information collection structure comprises a generic object (See Regnier et al. Figs.3 and 7A, and col.6, lines 39-45); wherein said database drives said generic object or said generalized algorithm to support said read request or said write request and a template associated with said generic object or said generalized algorithm (See Regnier et al. Figs. 4B, 4C, 7A-7C and col.10, lines 5-67).

As per claim 18, Regnier et al. disclose the claimed limitations, wherein said user interface is script driven by providing a server program for identifying each user signing into the server system (See Regnier et al. col.14, lines 18-24).

As per claim 19, Regnier et al. disclose the claimed limitations, wherein said information collection structure comprises a plurality of generic objects, wherein each of said plurality of generic objects includes one or more presentation objects (See Regnier et al. col.2, lines 36-59, Fig.3 and col.6, line 56 through col.7, line 17, and Figs 7A-7C which is shown a conventional database structure containing objects and language attributes).

As per claim 20, Regnier et al. disclose the claimed limitations, wherein each of said plurality of generic objects is associated with a unique object name for a unique

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combination of a presentation object with a data source from said database (See Regnier et al. (See Regnier et al. col.2, lines 36-59, Fig.3 and col.6, line 56 through col.7, line 17, and Figs 7A-7C which is shown a conventional database structure containing objects and language attributes).

As per claims 23 and 24, Regnier et al. disclose the claimed limitations, further comprising: a security mechanism for controlling access to said database, and the information collection structure by providing a client security profile limiting a client's access to a restricted dimension of the database (See Regnier col.3, lines 7-16; col.7, lines 41-47).

As per claim 25, Regnier et al. disclose a client/server computer system for managing information in a management system, the system comprising: a common database permitting the shared application infrastructure for structuring said database at a logical level (See Regnier et al. col.2, lines 22-30, and lines 48-57); and a user-interface for presenting data from said database (See Regnier et al. Abstract lines 5-10; col.4, lines 22-25 ; Fig.4, and col.6, lines 25-38), wherein said shared application infrastructure produces a customized view of said database (See Regnier et al. Abstract lines 1-5, and col.2, lines 22-30).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 21, 22, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Regnier (U. S. Pat. No. 6,134,549) in view of Teshima (U. S. Pat. No. 6,272,470).

As per claim 21, , most the limitations of this claim have been noted in the rejection of claim 12. Applicant's attention is directed to the rejection of claim 12 above.

It is noted, however, Regnier et al. did not specifically disclose the claimed limitations "wherein the integrated records comprise clinical research information" as recited in claim 21. On the other hand, Teshima achieved this claimed feature by providing an electronic clinical recording system which enables a wide area hospital to share information (See Teshima Title, The Abstract col.3, line 9 through col.4, line 55; col.16, lines 12-49).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the client/server computer system having personalizable and securable views of database data of Regnier et al. with the electronic clinical recording system of Teshima. The motivation being to have enhanced the system of Regnier et al. by allowing it to record and handle clinical data (See Teshima Abstract lines 1-3) and permitting the reading of basic information of patient's consultation records efficiently(See Teshima col.5, line 35 through col.6, line 2).

As per claim 22, the combination of Regnier et al. and Teshima, as combined, discloses the claimed limitations, wherein said integrated records comprise at least one of

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patient information, protocol information, therapy information, and clinical results (See Teshima col.3, lines 17-26, col.4, lines 11-55, and col.16, lines 26-49).

As per claim 26, Regnier et al. disclose a client/server computer system having personalizable views of database data wherein the term database will also be used to denote any collecting data in an information management system (See Regnier et al. Title, the Abstract and col.2, lines 33-35). In particular, Regnier et al. disclose the claimed limitations of: creating an information collection structure to produce a representation of a shared database by providing a client/server computer system capable of producing a customized views of information stored in a common database (See Regnier et al. col.2, lines 22-30, and lines 48-57); receiving a read request or a write request from a user interface by providing a client/server containing a translator feature for converting client application database input and output requests into databases commands (See Regnier et al. Abstract lines 5-10; col.4, lines 22-25); and accessing said representation to execute said read request or said write request without having to access said shared database (See Regnier et al. Abstract, lines 13-16).

It is noted, however, Regnier et al. did not specifically disclose the claimed limitations “defining and collecting clinical research information”. On the other hand, Teshima achieved this claimed feature by providing an electronic clinical recording system which enables a wide area hospital to share information (See Teshima Title, The Abstract col.3, line 9 through col.4, line 55; col.16, lines 12-49).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the client/server computer system having personalizable and

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securable views of database data of Regnier et al. with the electronic clinical recording system of Teshima. The motivation being to have enhanced the system of Regnier et al. by allowing it to record and handle clinical data (See Teshima Abstract lines 1-3) and permitting the reading of basic information of patient's consultation records efficiently(See Teshima col.5, line 35 through col.6, line 2).

Other Prior Art Made Of Record

10. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. patents and U.S. patent application publications will not be supplied with Office actions. Examiners advises the Applicant that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources. For the use of the Office's PAIR system, Applicants may refer to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.


Points Of Contact

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (571) 272-4086. The examiner can normally be reached on Mon. to Fri. from 9 AM to 4:30 PM, alt. Fri. off. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Jeffrey Gaffin can be reached on (571) 272- 4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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June 27, 2006